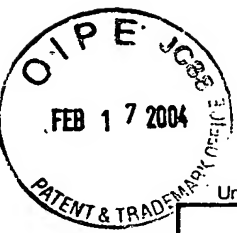


DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)	
Title of Invention	LIVE-SERVER CONTENT STAGING
As the below named inventor(s), I/we declare that: The declaration is directed to: <input type="checkbox"/> The attached application, or <input checked="" type="checkbox"/> Application No. <u>10/688,062</u> , filed on <u>October 17, 2003</u> , <input type="checkbox"/> as amended on _____ (if applicable). I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought; I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above; I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.	

FULL NAME(S) OF INVENTORS:		
Inventor one:	<u>Charles A. McBrian</u>	
Signature:	<u>[Signature]</u>	Date: <u>2/3/04</u> Citizen of: <u>US</u>
Inventor two:	<u>Darrick P. Brown</u>	
Signature:	<u>[Signature]</u>	Date: <u>2/3/04</u> Citizen of: <u>US</u>
Inventor three:	<u>Kenneth P. Sundermeyer</u>	
Signature:	<u>[Signature]</u>	Date: <u>2/3/4</u> Citizen of: <u>US</u>
Inventor four:	_____	
Signature:	_____	Date: _____ Citizen of: _____
<input type="checkbox"/> Additional inventors are being named on _____ additional form(s) attached hereto.		



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Charles A. McBrian et al.

Application No./Patent No.: 10/688,062 Filed/Issue Date: October 17, 2003

Entitled: LIVE-SERVER CONTENT STAGING

Macromedia, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 0.0 %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 11, 2004  
Date

415-252-2353  
Telephone Number

Loren E. Hillberg  
Typed or printed name

Loren E Hillberg  
Signature

Senior Vice President and General Counsel  
Title

## ASSIGNMENT BY INVENTORS

**THIS ASSIGNMENT**, made this day, by Charles A. McBrian; Darrick P. Brown; and Kenneth P. Sundermeyer (hereinafter referred to as Assignors), residing at 2121 Lyon Avenue, Belmont, California 94002; 155 Positano Circle, Redwood City, California 94065; and 2632 Carlmont Drive, Belmont, California 94002, respectively;

**WHEREAS**, Assignors have invented certain new and useful improvements in LIVE-SERVER CONTENT STAGING, set forth in a Patent application for Letters Patent of the United States, already filed on October 17, 2003 as U.S. application No. 10/688,062; and

**WHEREAS**, Macromedia, Inc., a Corporation organized under and pursuant to the laws of Delaware having its principal place of business at 600 Townsend, Suite 500, San Francisco, California 94103 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, for good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

**AND** for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and

delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

FULBRIGHT & JAWORSKI L.L.P.

All practitioners at Customer Number 000029053

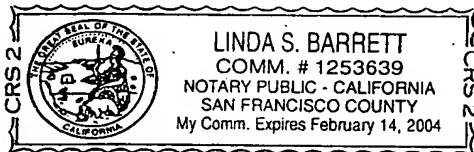
**AND** Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

Date: 2/3/04

Charles A. McBrian  
Charles A. McBrian

United States of America )  
State of California ) ss.:  
County of San Francisco )

On this 3rd day of February, 2004, before me  
personally came Charles A. McBrian, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



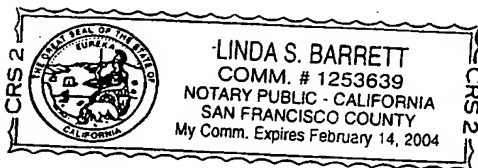
Linda S. Barrett  
Notary Public

Date: 2/3/04

Darrick P. Brown  
Darrick P. Brown

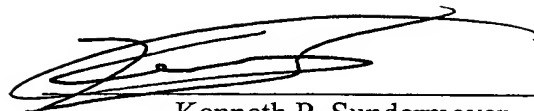
United States of America )  
State of California ) ss.:  
County of San Francisco )

On this 3rd day of February, 2004, before me  
personally came Darrick P. Brown, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



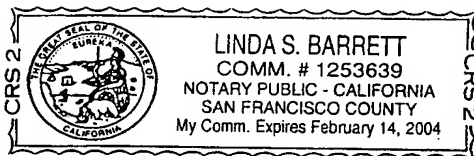
Linda S. Barrett  
Notary Public

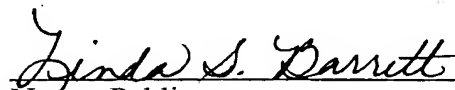
Date: 02/03/04

  
Kenneth P. Sundermeyer

United States of America )  
State of California ) ss.:  
County of San Francisco )

On this 3rd day of February, 2004, before me  
personally came Kenneth P. Sundermeyer, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



  
Notary Public